
S-4256
GUNNING ESTATE MINOR SUBDIVISION
Minor-Sketch Plan

STAFF REPORT
September 1, 2011

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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner and property owner, D & A Gunning Farms, Inc., represented by Ronald Wharry of Moses Surveying, is seeking primary approval of a one lot subdivision on 1.79 acres, located on the south side of SR 38, just west of East County Line Road, in Sheffield 13 (NE) 22-3.

AREA ZONING PATTERNS:

The site is zoned Agricultural as is all surrounding land.

AREA LAND USE PATTERNS:

The property in question has a single-family residence and assorted farm buildings. More single-family homes line the north side of the highway, all other land in the area is farmed.

TRAFFIC AND TRANSPORTATION:

SR 38 E is classified as a secondary arterial by the adopted *County Thoroughfare Plan*. The required 40' half-width right-of-way has been shown on the sketch plan. There are two existing driveways serving the farmstead; a "no vehicular access" statement will need to be platted along the remainder of the frontage.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The County Surveyor's Office has already approved the drainage on site, so no condition regarding drainage board approval will be necessary.

According to a letter from the County Health Department, "The proposed one-lot subdivision will be served by an individual sewage disposal system and private water well which are now in place." It further states that, "There is a perimeter drain surrounding the system to lower seasonal water table which is connected to the tiling system serving the farm field which drains to a county legal drain [Burkhalter legal drain, which is located to the southeast]. An easement is proposed for this tile to remain in place and for the tile to be maintained in the future if needed from the home site to the county legal drain."

CONFORMANCE WITH UZO REQUIREMENTS:

Setbacks shown are correct; no buffering is required. Lot width and area are sufficient.

STAFF RECOMMENDATION:

Conditional primary approval, contingent on the following:

A. Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrances, a "No Vehicular Access" statement shall be platted along the SR 38 right-of-way line.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
4. All required building setbacks shall be platted.
5. The street address and County Auditor's Key Number shall be shown.
6. An off-site easement must be recorded and referenced on the final plat which allows the lot's perimeter drain to use an existing tile to reach the county legal drain to the County Health Department's satisfaction.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

7. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.